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LTS-9 Oct 47

CENTRAL INTELLIGENCE AGENCY  
Washington, D. C.**ADMINISTRATIVE INSTRUCTION  
NUMBER****SUBJECT: Employment Review Board**

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(This rescinds Administrative Instruction [REDACTED] Dtd 31 July 1947)

1. Sub-paragraph (c) of Section 102, National Security Act of 1947  
(Public Law 253 - 80th Congress), is quoted below:

"Notwithstanding the provisions of section 6 of the Act of August 24, 1912 (37 Stat. 555), or the provisions of any other law, the Director of Central Intelligence may, in his discretion, terminate the employment of any officer or employee of the Agency whenever he shall deem such termination necessary or advisable in the interests of the United States, but such termination shall not affect the right of such officer or employee to seek or accept employment in any other department or agency of the Government if declared eligible for such employment by the United States Civil Service Commission."

2. This section was enacted to enable the CIA to maintain high personnel standards essential to a national intelligence agency.
3. To provide an impartial review, and advice to the Director in the just and equitable exercise of his discretionary power under the Act quoted above, an Employment Review Board is hereby appointed to consist of:

Executive Director	-- Chairman
Chief, Advisory Council	-- Member
Chief, ICAPS	-- Member
Executive for Administration-- and Management	Member and Recorder
General Counsel	-- Law member without vote
Executive for Inspection and Security	-- Advisor to the board without vote
Each Assistant Director	-- Alternate members to sit with the Board at the discretion of the chairman, should three regular members not be available.

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- a. Every case involving involuntary termination of a CIA employee will

be forwarded by the head of the appropriate Office or Staff Section to the

Chief Personnel Branch, AAM, together with all applicable reports of

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investigation and other pertinent records.

b. If the Chief, Personnel Branch, determines that final administrative action by his office is not feasible, he shall immediately forward the record directly to the Board for its consideration.

c. At the time records are forwarded to the Board the Chief, Personnel Branch, will notify the individual concerned that he is suspended from duty under the provisions of this memorandum due to failure to meet the high CIA standards for its employees, and will include in the notice --

(1) Statement that case will be considered by the Board within two weeks after date of the notice.

(2) Statement that the employee concerned may, at his discretion,

(a) Submit any written statement for consideration of the Board in connection with his case, and/or,

(b) Request authorization to make a statement in person before the Board.

(3) Statement that inquiries in connection with suspension notice should be made to the Chief, Personnel Relations Division, Personnel Branch, ADM.

d. Suspension notices will be sent by registered mail to the home address of the individual being suspended, requesting return receipt.

5. The Executive for Inspection and Security may refer directly to the Board any case arising within the scope of his functions. He will immediately inform the Chief, Personnel Branch, of such reference and the basis therefor, requesting suspension and notification of the individual concerned as provided by paragraph 4 above.

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6. a. Chief, Personnel Branch, will ascertain at the earliest practicable date, the names of suspended individuals who desire to make statements in person before the Board and will arrange a schedule for such statements directly with the Board recorder.

b. Written statements received from suspended employees will be forwarded directly to the Board recorder.

7. The Board will give full consideration to each case, including voluntary written or verbal statements of individuals concerned, and such additional evidence as may be deemed necessary, and prepare a written recommendation to the Director. The recommendation will be signed by each voting member of the Board, noting concurrence or non-concurrence in each case. Any member and the law member and advisor may append an individual signed comment. The complete record of each case considered by the Board will be attached to the Board's recommendations for the information of the Director.

8. The Director's determination in each case will be final. If his decision is to terminate employment, notice of separation to the Civil Service Commission will state only that separation is accomplished by order of the Director under authority granted by sub-paragraph (c) of Section 102 of the National Security Act of 1947, without further amplification.

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